

Legislature's education funding report shows 'what we didn't do'

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In a progress report for the state Supreme Court's education funding order known as the McCleary decision, Washington state lawmakers highlighted the Legislature's gridlock.

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OLYMPIA — In past reports to the state Supreme Court, Washington state lawmakers have talked up the billions of dollars they've poured into K-12 education.

But the progress report approved by lawmakers Wednesday on court-ordered education funding highlighted legislative gridlock.

"This report reflects what we didn't do," said Sen. Christine Rolfes, D-Bainbridge Island, and a member of the Joint Select Committee on Article IX Litigation.

"We wanted to show the court that we were working toward solutions, even in those cases where we didn't come up with solutions," Rolfes added, before the committee unanimously approved the report.

"We all wanted to get further than we had," said Sen. Steve Litzow, R-Mercer Island, adding later: "Obviously we still have a big step to go."

It was a novel approach to explaining the Legislature's progress on the court's 2012 funding order known as the McCleary decision.

In that decision, the Supreme Court ruled that the state doesn't give school districts enough money to cover the costs of a basic public education as required under the state constitution.

Lawmakers over the past few years have put billions of dollars into the public education system to comply with the court. But they've [been stuck on the complicated and politically tricky task](#) of reforming teacher pay and the use of local property-tax levies in school districts.

The court in 2014 held the state in contempt for not coming up with a full K-12 funding plan. Last August, the court began [fining the state \\$100,000 daily](#) for not having provided a full funding plan.

After the progress report is filed by the state next week, the court could lift the contempt order, impose further sanctions, or take some other action.

[Senate Bill 6195](#), the plan passed by the Legislature this year, set up a task force and called for more data gathering to resolve questions around teacher pay and levy reform.

But, "Ultimately, the [levy reform] policy did not pass in part because it was unclear to some how the policy would supplant local dollars with state dollars," according to a [draft of the report](#).

Lawmakers in their budget this year also didn't provide a specific budget line for money to pay their daily fine imposed by the court.

"Ultimately, a majority of the Legislature did not reach agreement" on how to handle those penalties, according to a draft of the report.

"I think the fact that we didn't acknowledge the fine in our budget was the weakest moment that we had," Rolfes said after Wednesday's committee meeting.

Did GOP Floor Leader Sen. Joe Fain of Auburn believe that omission would lead to further sanctions?

“I can’t predict how the court’s going to react,” said Fain. “But I will predict that the Legislature is going to act to solve this problem” in 2017.

Information from The Seattle Times archives is included in this report. Joseph O'Sullivan: 360-236-8268 or josullivan@seattletimes.com. On Twitter [@OlympiaJoe](https://twitter.com/OlympiaJoe)